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course of business. *In re Fulton*, 178 Pa. St., 78; *Baldrige v. Penland*, 68 Tex., 441. Also the entries must have been made contemporaneously with the transactions recorded. *Wells v. Hobson*, 91 Mo. App., 379. There is no fixed rule as to what is "contemporaneous;" entries may be transcribed within a reasonable time. *Redlick v. Banerle*, 98 Ill., 134. Where these entries have been transcribed by one clerk from temporary memoranda made by another, some courts hold that, if the original observer cannot testify the book will be excluded. *Kent v. Garvin*, 1 Gray (Mass.), 148. Others will admit this evidence upon proof that the original observer is unavailable. *Am. Surety Co. v. Panly*, 38 W. S. App., 254. A copy of the original book will not ordinarily be received in evidence. *Skipworth v. Deyell*, 83 Hun. (N. Y.), 307; *Peck v. Parchen*, 52 Ia., 46.

EVIDENCE—PHOTOGRAPHS—ADMISSIBILITY—CITY OF LOUISVILLE v. ARROWSMITH, 140 S. W., 1022, (Ky.).—*Held*, that in an action against a city for injury to a traveler caused by a defect in a street, photographs taken some time after the accident were admissible in evidence to show the condition of the street where witness other than the photographer testified that they accurately described the condition of the street, and there was no contention that the condition of the street had changed since the accident.

As a general rule, photographs are competent as evidence when their correctness has been shown. *First National Bank v. Wisdom's Ex'rs.*, 111 Ky., 135; *Alberti v. R. R. Co.*, 118 N. Y., 77; *Cooper v. Ry. Co.*, 54 Minn., 379. They are admissible to show identity. *United States v. A Lot of Jewelry*, 59 Fed., 684. Or to show the condition of a person. *Cooper v. Ry. Co.*, 54 Minn., 379; *Ry. Co. v. Allen*, 36 Neb., 361. Or to show the condition of premises. *Dyson v. R. R. Co.*, 57 Conn., 9; *German School v. Dubuque*, 64 Ia., 736. But they must be authenticated extrinsically. *Cunningham v. R. R. Co.*, 72 Conn., 244; *Leidlin v. Meyer*, 95 Mich., 586; *Beardslee v. Columbia Township*, 188 Pa. St., 496. This need not, however, be done by the photographer himself, but may be done by any eyewitness. *Mow v. People*, 31 Colo., 351; *Hall v. Ins. Co.*, 76 Minn., 401. They are not, however, admissible if they are unnecessary. *Cirello v. Express Co.*, 88 N. Y. Supp., 932; *Selleck v. Janesville*, 104 Wis., 570. Nor if they are not practically instructive. *Harris v. Quincy*, 171 Mass., 472; *State v. Miller*, 43 Ore., 325. Photographic copies of an instrument are not admissible when the original can be readily exhibited to the jury, except to identify a writing, or to detect a forgery. *Baxter v. Ry. Co.*, 104 Wis., 307. Where the photograph is offered to show distances, relative sizes, or the location of objects, its accuracy must be very convincingly proved. *Cunningham v. R. R. Co.*, 72 Conn., 244. X-Ray photographs are admissible when shown to have been properly taken. *De Forge v. R. R. Co.*, 178 Mass., 59; *Geneva v. Burnett*, 65 Neb., 464.

FRAUDS, STATUTE OF—SALE OF STANDING TIMBER—"CONTRACT FOR THE SALE OF REAL ESTATE."—*ADAMS v. HUGHES*, 140 S. W., 1163 (Tex.).—*Held*, that a contract of sale of timber allowing the purchaser fifteen years to